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because it is an investment, for the time being, it is a loss to Government if there are no sale-proceeds. That will be shown in the next Budget. So let us not condemn these schemes straightaway. These schemes depend upon the Government because they cannot incur the whole expenditure.

“ Sir, the other matters mentioned by the hon. Members will certainly be borne in mind and I am very thankful for the very valuable criticisms offered on the supplementary budget demands.”

MRS. MONA HENSMAN :—“ On a point of information I did not wish to interrupt the Hon. Minister when he was speaking. I am grateful to the assurance that he has given that teachers are to get increased amounts. Does it mean that until financial additions are made and additional taxes are put, the increased amounts will not be given or that the teachers will be given a priority under the already drawn up Budget so that they might come out of it before any financial adjustments are necessary? ”

THE HON. SRI B. GOPALA REDDI :—“ Just now, Sir, I am unable to give any assurance to the hon. the Lady Member because that subject comes under the Education Department. We shall certainly consider the matter and examine the financial aspects involved.”

MR. PRESIDENT :—“ The House stands adjourned till 5-30 this evening.”

(The Council re-assembled at 5-30 p.m.)

V.—ANNOUNCEMENT *RE* MEMBERSHIP OF THE HOUSE COMMITTEE.

MR. PRESIDENT :—“ The hon. Mr. R. B. Theobald has resigned his Membership of the Legislative Council. Consequent on his resignation he ceases to be a Member of the House Committee to which he was nominated by the President. Another Member must be nominated. I, therefore, nominate Dr. V. K. John in the place of the hon. Member Mr. Theobald.”

VI.—ANNOUNCEMENT *RE* PANEL OF CHAIRMEN.

MR. PRESIDENT :—“ Consequent on the resignation of the Hon. Mr. K. Madhava Menon, who has gone over to the Treasury Bench, from the panel of Chairmen, I nominate the hon. Member M. Narayana Rao Garu, to be on the panel of Chairmen.”

VII.—THE MADRAS DISTRICT MUNICIPALITIES AND LOCAL BOARDS (AMENDMENT) BILL, 1947 AS (PASSED BY THE ASSEMBLY.)

MR. PRESIDENT :—“ The Hon. Minister for Local Administration.”

* THE HON. SRI K. CHANDRAMOULI :—“ Mr. President, Sir, I beg to move—

‘ That the Madras District Municipalities and Local Boards (Amendment) Bill, 1947 L.A. Bill No. 7 of 1947) as passed by the Assembly be taken into consideration.’

[Sri K. Chandramouli] [29th March 1947]

" Sir, in moving this, I do not want to take up much of the time of this House. I shall go over only the three salient points of this Bill.

" Proviso (ii) under the proposed sub-section (3-B) under sub-clause (iii) of clause 2 of the Bill states that the object of the Bill is to increase the strength of the reserved seats for the minorities; the total number of reserved seats hitherto is one-fourth of the total strength of the council. The intention of the Bill is to make it one-third of the total strength of the municipal council.

" Then item (iii) of sub-clause (1) of clause 5 of the Bill takes power for the appointment of special officers to all municipal councils during the interval between the date of expiry of the term of the councillors previously holding office and the date on which the newly elected councillors will come into office. This is to give an interval for conducting the elections and other things.

" Then clause 7 of the Bill is intended to validate the orders issued by the Government last November postponing the elections to local bodies and municipal councils after the notices had been issued by the election authorities.

" I request the House to accept the motion to take this Bill into consideration at once."

MR. PRESIDENT :—" The question is that the Bill further to amend the Madras District Municipalities Act, 1920, the Madras Local Boards Act, 1920, the Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942, and the Madras District Municipalities and Local Boards (Second Amendment) Act, 1946 (L.A. Bill No. 7 of 1947) as passed by the Legislative Assembly, be taken into consideration at once."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Mr. President, Sir, I rise to oppose this Bill. The two main objects of this Bill are to give increased representation to minorities by way of reserved seats and to appoint special officers.

" Sir, you may remember that on more than one occasion, Members on this side of the House have raised their protest against both these issues, viz., the reservation of seats through joint electorates, and the appointment of special officers.

" I shall first deal with the question of reservation of seats through joint electorates. Sir, when the Government feel that there is necessity for the reservation of seats for minorities, they do grant that certain sections of the population of this Province have to be represented by their own representatives and not by representatives of other communities or other sections. When this is granted, the corollary follows that the person who is to represent a particular section of the people must be able to reflect the will of the people whom he is purported to represent. He must be a personification of the will of the people; otherwise, the purpose of the reservation of seats will be defeated. From this it follows that filling up of reserved seats through joint electorates will be of no avail, and it will not fulfil the purpose in view. We have on more

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than one occasion amply dealt with the subject and I think it is not necessary for me to traverse the ground once again in view of the fact that my friends"

MR. PRESIDENT :—" If you think it is not necessary, then why speak? Probably you think it is."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" But unfortunately, Sir, we have to do it, we are forced to do so on account of the attitude that is being adopted on the other side. Whatever may be said on the floor of this House seems to have no effect at all on the Members of the other side."

THE HON. DR. T. S. S. RAJAN :—" We do not accept it."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" But the fact is there. Whatever we said had been a cry in the wilderness; but still we feel that we must do our duty and we hope that at least in the future—it may be some years hence—our words will have effect. Therefore, until we succeed in our efforts, we must go on doing our duty without consideration of the fact whether our words have immediate effect or not."

" Well, Sir, when once you say that sections of the population must have seats reserved for them, it necessarily follows that those persons who are to fill those seats must be able to give expression to the will of the people whom they are to represent. That, they can do only if they really represent them, if they are their real representatives. Sir, what is democracy? It is Government of the people, by the people, for the people. Applying the same principle, the person who is to represent a particular section of the people must be one of those people and he must be chosen or elected by the persons whose views he is to represent and whose grievances he has to remedy. Otherwise, he cannot by any stretch of imagination be said to be their representative. The provisions of this Bill are fundamentally opposed to this vital principle of democracy. That is why, Sir, I am constrained to oppose this Bill, on this point."

THE HON. SRI K. MADHAVA MENON :—" You oppose the number being increased?"

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" My Hon. Friend says the number may be increased."

MR. PRESIDENT :—" No; the Hon. Minister wants to know if you oppose the increase in the number."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" That is not my look-out just now; I shall come to it at the proper time."

" Well, Sir, if the Government insists that these seats should be filled only through joint electorate, the result would be similar to that or identical with the result of 'jerry-mandering of elections' as it is known in the West. The person elected would not be the representative of those who are deemed to elect him, but would represent some other persons."

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" Another point is this, Sir. These seats are reserved for the purpose of safeguarding the rights of the minorities. If the representatives are not elected by persons whose rights are to be safeguarded, will they be able to safeguard their rights? That is the question I put to the hon. Members. If you allow these people to elect their representative by separate electorates, the persons elected will understand the difficulties and the grievances of the people and they will be guided in their work by the opinions of the people and try to remedy their grievances. It is very often said, Sir, that the European cannot be made to represent the Indians on particular committees. The same principle applies to the issue in question also. If you only analyze the matter, differences do exist between Hindus and Muslims in this country and these differences are far more vital than the differences that we find between any two nations in Europe, for example, between the Portugese and the Spaniards or the Englishmen and the Irishmen. When you concede these differences, you must also concede that these representatives of the peoples must be elected through the separate electorates only; otherwise, the purpose will not be served. My Hon. Friend asked, what about the increased representation. It may so happen that one or two Muslims elected through joint electorates may—I lay emphasis on the word 'may'—be the true representatives of the people but it cannot be said that all these people elected will be real representatives. That is why I want that there must be separate electorates. We should not depend upon the whims and fancies of voters who belong to a different community and who constitute the majority in a particular electorate, of people who belong to a different community which happens to be a majority. So, Sir, if these persons are not elected through separate electorates, these Muslims must depend upon the goodwill, may be upon the whims and fancies, of the voters belonging to the other communities and so they cannot get their real representatives elected. Sir, this is a matter which affects the very existence of Muslims. So, Sir, we want these separate electorates in order that we may elect our own real representatives to these municipal councils and local boards without the necessity of waiting for mercy or concession from other persons.

" Another point, Sir. These municipal councils and local boards are even more intimately and vitally connected with the everyday life of the people than these legislatures and such being the case, it is more necessary that separate electorates should be constituted for these municipal councils and local boards than for the legislative bodies. Now, Sir, when we have come here through separate electorates to these legislative bodies, it is much more necessary that we must be given the same right in getting into the municipal councils and local boards because the members on these bodies have to come into contact more often with their constituents in their respective wards or circles and how can they go to them unless they command their confidence. Unless they go to them and contact them, how can they know and attempt to

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remedy the grievances of the people in those areas? Such people will not ordinarily be sympathetic to their electors and the electors also cannot and will not go to them for redressing their grievances. That is why, Sir, it is absolutely necessary that there must be separate electorates. If there are no separate electorates, the representatives cannot be said to be the representatives of the Muslims of the locality and their grievances cannot be properly remedied by these representatives. I may quote here the very apt words used by the late Moulana Muhammad Ali in this connexion. He said that persons elected through joint electorates will not be the real representatives of the community but they will be only 'men of straw' from the community. 'Men of straw', these are the words used by the late Moulana Muhammad Ali. These words, Sir, are pregnant with meaning and sum up the entire position.

"Now, Sir, there is no refusing to face realities especially when the whole Government is run on communal lines. Well, Sir, when the Interim Government was constituted, did they not select men on the basis of communities? What was it for? You conceded that each community must be represented on the Interim Government. So also when forming the ministry—the present ministry as well as the previous ministry—you gave representation to the communities. You did not ignore the existence of communities, but on the other hand these communities had to be given representation in the Cabinet. Such being the case, you must apply the same principle with regard to the municipal councils and local boards also. Again, Sir, you may say that true representatives can be elected through joint electorates. But our experience has been otherwise. The other day, when the question of the constitution of the food committees came up before this House, everyone of us recorded our protest on the ground that these food committees would become the replicas of the Congress Committees and that Muslims will not have proper representation on these committees and the results have amply justified our worst fears. There are districts, for example, Tinnevely, South Arcot and Trichinopoly districts—where, I have personally known, there is not a single Muslim elected to any of the district committees. That is also the case with many other district committees. Do you mean to say, Sir, that there is no Muslim capable of becoming a member of these blessed district committees?"

MR. PRESIDENT :—"Have I said so?"

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"I am glad the President is with me."

MR. PRESIDENT :—"When you questioned me saying 'Do you mean to say, etc.' I said 'Have I said so?'"

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"So, Sir, we want our true representatives on these municipal councils and local boards. The true representatives can be secured only through separate electorates and persons elected otherwise than by separate electorates, will not ordinarily represent the Muslims."

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"Now, Sir, whenever we talk of separate electorates, there is one argument that is trotted out against it and that is, that separate electorates will breed communal differences. I would request those friends who say that these electorates have caused communal bitterness just to read the Indian Political History for the last several decades. They will find that separate electorates are not the cause of communal differences but its logical and natural effect. In justification of this, I would say this. In the legislative bodies, both Central and Provincial, Hindus go to the polls and elect their own representatives and Muslims go to the polls and elect their own representatives and there is no communal bitterness at all. So, Sir, I would say that the best method to cure communal bitterness is to give separate electorates and to concede the principle that Muslims should elect their own representatives so that even at the polls there may not be any communal bitterness. The result, so far as the legislative bodies are concerned, has shown that there has not been any communal bitterness."

SRI T. PURUSHOTHAM :—"If Muslims go to separate polls in local bodies, they will also demand separate seats in those bodies."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"Here, Sir, you see how we are sitting. Is there any trouble here? If we had joint electorates all these members would not be here. There may be one or two . . ."

SRI R. SURYANARAYANA RAO :—"Even with reservation of seats."

MR. PRESIDENT :—"I think it is better that the hon. Member proceeds with his speech than argue with hon. Members."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"Then, so far as separate electorates are concerned, some of my hon. Friends, including my hon. Friend, Mr. K. O. Anthoni, representing the Christian community, expressed the other day their desire for separate electorates at least so far as the Constituent Assembly was concerned."

MR. K. O. ANTHONI :—"I am sorry I should be dragged here."

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"Even my hon. Friend, Mr. Jagannatham, representing the Scheduled Castes said that he wanted separate electorates on account of the difficulty which his community had to face in the mixed joint electorate and also in view of the fact that the Scheduled Castes have to go through two forms of electorates."

"I do not want to elaborate on the question of reservation of seats, because the President wants to finish the business soon."

MR. PRESIDENT :—"In the interests of all of us."

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* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ There is another handicap in the joint electorates in regard to reservation of seats, so far as the Muslims are concerned. In many of the wards in municipalities and in the circles of district boards, Muslims living in contiguous areas are split up. I know there are several such instances. The result is that Muslims do not form a majority in many of the circles and wards. Let us take one concrete instance. Take for example a place called Kilakkarai in Ramnad district which contains more than 15,000 Muslims. About 10½ miles away from Kilakkarai there is the town of Ramnad which contains more population than Kilakkarai. In between these, about 2½ miles from Kilakkarai and about 8 miles from Ramnad there is one place called Tiruppallani where there are about seven to eight hundred Hindu voters and Tiruppallani is constituted into a separate circle while Kilakkarai and Ramnad are clubbed together. At no time can a Muslim get elected from that circle though there are 15,000 Muslims, while Tiruppallani with about 900 to 1,000 voters can elect a Hindu member. There are so many other instances like that. Even in the City of Madras, for instance, there is the Mirsahibpet area. A few years ago, the area round about Mirsahibpet was constituted into a separate ward, with the result a Muslim could be elected from that ward since Muslims happened to be in a majority in that ward. Now it has been divided and part of Mirsahibpet is clubbed with Rayapettah and the rest with Mylapore so that in no ward the Muslims form a majority. I ask, Sir, why should not contiguous areas where the Muslims are in a majority be clubbed together and why should they be deliberately separated? Is it not to prevent the Muslims from electing their own representatives from those places?

“ There is another aspect of the matter, Sir, and that is in regard to the previous practice that was in vogue. These Muslim seats were deliberately reserved in wards where Muslims are in a minority and not in wards where they are in a majority. Now I understand that Government want to reserve seats where Muslims form a majority. Of course that is a salutary departure from the old practice and I hope it will be adhered to in all cases. I hear that attempts are being made in certain municipalities to deviate from this new practice to serve the interests of particular individuals. I hope that Government will not encourage such deviations from this practice, and see that at least in those areas where Muslims are in a majority true representatives of the Muslims are elected.

“ Then, Sir, my friend said something about more reservation for Muslims. Of course, it is always welcome, because we are in a minority and we want not only to have better and true representation but we must also have adequate representation on those bodies so that our voice may be effectively felt and not become a cry in the wilderness as it happens both in the other House and in this House. It may so happen that though these Members are ultimately to be elected through joint electorates, some of them

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may be true representatives of the people—by chance it may happen. We are anxious that Government should give adequate and sufficient representation to minorities in these bodies, even though they find it difficult to accept our cry and demand for separate electorates.

“ Now in regard to the appointment of Special Officers, Sir, on former occasions also we opposed against this policy. I do not think there is any need for the appointment of Special Officers. Probably there is a lurking suspicion in the minds of hon. Members that because in certain municipal councils, members have been nominated they might interfere with the elections. I must take strong objection to the expression used in the Statement of Objects and Reasons appended to the original Bill which has been circulated. It is stated there; ‘ In order that undue influence is not brought to bear upon any section of the electorate during the next elections to municipal councils, it is desirable as in the case of district boards to place the municipal councils in charge of Special Officers . . . and so on ’. Well, Sir, I cannot understand what this means if it is not a reflection on those members of municipal councils who have been holding office as nominated members—I find that it also applies to members of elected councils? It has been the practice, Sir, throughout the whole world, for members of various bodies who are functioning now, to continue to function until their successors are elected and assume office. That is the ordinary rule of any democracy and why should you depart from that practice in the case of municipal councils and local boards. Supposing there is an election to be conducted for the Legislative Council or Assembly, are you going to say that a Special Officer should be appointed; or, that the Council or the Assembly should be dissolved as otherwise the members of the Council or Assembly will exercise undue influence over the electorate? Sir, it is nothing but casting unmerited slur on the members of the councils concerned. And, how can you say that these people will exercise an undue influence over the electorate? When especially they have been entrusted with the administration of important towns and when they can administer the affairs of their respective areas, can they not be trusted not to exercise any undue influence so far as the elections are concerned? Why can't you let them function whether they are elected or nominated persons? When the Government did not find any objection to entrusting the administration of whole districts and towns in their hands and have not superseded them, why should they want to supersede them only with regard to elections by appointing Special Officers. I cannot understand the logic of it. I do not want to take more time of the House except I oppose the Bill, Sir, for these reasons.”

6 p.m. * MR. K. O. ANTHONI :—“ Speaking on the important provision relating to the increased representation for the minorities in the District Municipalities and Local Boards, I must express on behalf of my community, the Indian Christian community, our gratification on the Government's recognizing the need for giving

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increased representation not only to my community but to the other communities as well. The hon. Mr. Ibrahim was referring to me also when he was pleading for separate electorates."

MR. PRESIDENT :—" Do not disappoint him."

* MR. K. O. ANTHONI :—" I am afraid I will have to. Sir, the Indian Christian community is as I remarked in connection with my speech on the budget, is the third largest community in the country and there are over two millions in our province. We have not yet developed to the stage. I hope we never will of demanding a Christianshan. We feel that our duty lies in becoming peace-builders in our country. Whenever there is communal tension as we now find in Northern India, we feel that Indian Christians have a very important role to play. The Indian Christian Community is drawn from the various other communities that reside in this land of ours and so they are in a better position to enter into the mentality and understand the view-points of the other communities. When I say that I do not stand for separate electorates on the floor of this House, I do not certainly ignore the fact that we have had our disappointments in the past. Unfortunately, the major communities have not extended communal justice to the smaller minorities in this country with the result that there is a feeling of insecurity."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" May I know, Sir, through what electorate he is here in this House now ? "

MR. K. O. ANTHONI :—" I belong to the Indian Christian community. That does not mean that I should stand up and support the two nation theory in this House."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Give up separate electorate then."

* MR. K. O. ANTHONI :—" Speaking about our disappointments, I mentioned last time when I was speaking on the Budget the fact that the President of the All-India Catholic Union who happens to be the President of the Joint Committee of Indian Christians, Protestants and Catholics, and also the President of the Catholic Association of the Madras Province was not elected as a member of the Constituent Assembly from this Province. We also know that if we agree to this reservation of seats it is quite likely that members of my community who are nominated by the party in power or their organization are likely to be elected as representatives. We know all that. Still the progressive minds of the community think that we have got a duty to get into the general electorate and play our part in developing a better social conscience in our country."

" So, I feel, Sir, that our position is such that we should give our provisional consent to joint electorates with reservation of seats. If representation is to be effective in a democratic constitution, the candidate who enjoys the confidence of the group or the community should be elected. At the same time I realize that it is not wise

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to keep away from the general electorate. That kind of disintegrating tendency is not a thing that will result in good being done to the country as a whole. That is what the best minds of the Indian Christian Community feel to-day. While therefore I give my provisional support to the principles adumbrated in this Bill, I would appeal to the Leaders of the Hindu community to realize that the Indian Christians are politically an important community and that they are not quite satisfied with the results that have so far been obtained in the working of general electorates or joint electorates with reservation of seats. It should be up to the majority communities, especially the Hindu community to realize that the Indian Christian community has got a role to play in this country and to see that the rules and regulations are so made that it would enable the community to elect their true representatives to these local boards and municipalities. We shall watch this experiment with the keenest interest and it will be our painful duty, if say within a year or two we realize that the conditions that obtain in these elections have not permitted of our electing the true representatives of the community, to ask for a change in the electoral system."

SRI S. K. SATAGOPA MUDALIYAR :—" I would submit, Sir, that there should be reservation for the fair sex. The argument that had been adduced by the Mohammedan colleague will apply in this also. Another argument which I strongly urge is that 50 per cent of the seats should be reserved for the fair sex. They represent all the communities. I think that at least in this case Mrs. Mona Hensman will support me."

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MRS. MONA HENSMAN :—" Mr. President, I thought I shall not participate in this debate because I felt it was a matter for men. While appreciating the suggestion of the last speaker, I do feel that women have to stand by their declaration of fifteen years ago of the Lothian Commission that they wanted joint electorates. Moreover they took this stand not only for women but also for men but you will excuse my saying it, that it was the men of this country that upset that procedure. I must congratulate the present Government on bringing a Bill that is going to enlarge the scope of minority representation. I am very glad to be able to say—you will excuse a personal reference in this regard—that those of us who were teachers in colleges and schools are just as fond of our children who are of different communities. We do not say because the school is run by a particular religious body that we are more fond of children of that religion. I have had in my classes, Muslim, Hindu and Christian girls all of whom are as dear to me and all of whom have done just as much and perhaps more than, men who have been students in parallel colleges. I will not mention names; but one of the chief superintendents of Muslim schools in this City was one of my beloved students and I cannot think of any other girl who could have done better. I could multiply instances but I do not want to hold up the House that way. I feel that Mr. Antoni is only voicing the

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opinion of those of us, the Christian community of North India, who have for a long time stood for joint electorates. We may lose; we may have disappointments. We have to endure it because we are training the electorates of the future. We are going to look to nationality and to the scope, wisdom and help that the person can give not only because of religion. I feel that our friends who feel very strongly for separate electorates will bear with me when I say that we are Indians first and that each of our religions makes us the truer citizens of the country and the truer serfs of our country. I must congratulate the Government on their having extending the scope to a quarter and it will be not long before it is made a third and I trust that women will have increased number just as men."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" Mr. President, I feel that I must join hands with my hon. Friend Mr. Ahamed Ibrahim Saheb in opposing this Bill. Though we agree in conclusions, we differ in arguments. I shall take a different line of argument altogether in opposing reservations of seats with joint electorates. I can understand if there is general electorate pure and simple and people of different communities being given the chance to find their place in the municipality or district board on account of their popularity because I do not feel that there will be any such thing as parties in local boards. But I feel that reservation of seats is nothing but an eye-wash. If you want the general interests of the country to be served, there is no need for reservation for any particular community. You want to reserve seats for a particular community in order that they may find representation on that body. If that is the case, I feel that representation should be given to people belonging to that particular community who could really represent that community. By reservation of seats in the general electorate, you are only going to get people who will be subservient to your wishes, particularly in a Province where we are in a minority and the electorate will consist of the majority who do not belong to the community, for whose sake particular seats are reserved. I feel there is no meaning at all in reservation of seats. You can as well say: 'There is only a general electorate if you are popular, you will be elected though you be a Muslim.' I wish we had an atmosphere of that kind. I wish for the old days in our life when a Muslim stood for election without any reservation and he was elected not only by Muslims but by a large majority of Hindus. That was the position some time ago but unfortunately it is not so now. By reserving certain seats for particular communities, you recognize the fact that that situation is not there in which people belonging to minorities can with confidence stand in a general electorate and be elected to municipalities and local bodies. Such being the case, I do not see the reason why you should ask those people to stand and get votes not only from Muslims but also as from non-Muslims and then say that they would be considered as the representatives of the Muslim community. You can give them any number; instead of four, you may even have four hundred.

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Do you honestly believe that those people will represent the community on whose behalf they have been elected? Certainly not. Because they will be elected not by their own community whom they have to represent but by others who will ask them to represent certain interests other than those of the community to which the representatives belong. I can understand your saying that all the seats will be open for any member of any community; that is perfectly logical. But even if you say you are going to give us 75 per cent of the seats in a joint electorate, that will not do. I say that one Muslim if he is elected on a separate electorate will be a better representative than all the 75 coming through the general electorate. (Interruption.) There is no use blinking over facts and saying, at a time when the sun is not shining, that all is sun. The fact has to be faced that people are there on reservation of seats elected by a joint electorate who unfortunately have to yield very important interests of their own community for the sake of people by whose majority votes they had been elected. Therefore, Sir, I say logically this reservation of seats is inconsistent. You can have joint electorate without reservation of seats. That will be an honest proposition and I can quite appreciate it. Have no reservation of seats at all. Ask people to be elected on joint electorate. On account of the popularity of particular individuals, let them be elected, and these people will certainly represent both Hindus and Muslims in as dignified a manner as it is possible for them to represent. If you say 'no', then I say let these communities elect their own representations and not people who will for namesake be elected to represent them. Actually they will not represent those communities, because they will be represented by some other people. Therefore, this is a question which Hon. Ministers have to seriously consider. On account of their majority, I am sure, I am as sure as you are sure and as any other member in this House is sure, that this Bill or any other Bill which may be brought forward by the majority party will certainly become law. There is no doubt about that and in spite of that fact we are crying hoarse. We have been fighting, as you on one occasion pointed out, very valiantly a losing battle. But this fight is certainly going to bear fruit one day or other. Though we are going down, we will not take this lying down. Though we are defeated still we will feel even in defeat there is success and glory. (Hear, hear.) Therefore, I feel that reservation of seats with joint electorates is quite an inconsistent proposition. Either there should be only joint electorates and people—Hindus or Muslims—should be elected, or there should be separate electorate, and the electorates should be given a chance to elect their own representatives. Sir, this is one point. Now I come to the other point. Whatever may be the experience of my Christian friends or other friends, this has been our bitter experience, Sir. In this House, and in any other part of India, the present Congress Governments are anxious either to get the real representatives of the people in the Government or to discard them altogether. If it is only a question of giving representation to Muslims, I would

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have seen somebody, some one from the Muslims, sitting on the other side with my hon. Friend Mr. Reddiar and the other Hon. Ministers. They could have easily nominated somebody to the Council and of course that could have been done earlier. They could have said 'we want a Muslim; we want Muslim representation.' So far as the Ministry is concerned there is no reservation of seats. Why? The reason is apparent. The reason is that the Congress Governments feel that if anybody is nominated or if anybody is brought by their franchise or by their electorate or by their influence that man cannot be considered to be a representative of the Muslims. Therefore, Sir, no Muslim has been taken in. If it was possible for the Congress, before this Government came, the previous Government could have done it. Somebody could have been nominated and he would have taken a seat on the other side as a Muslim Minister. The fact that you have not done it is conclusive proof that you feel that a Muslim who is not elected by the Muslims, a Muslim who is not elected by separate electorate, a Muslim who is not elected by the franchise of the Muslim voters, even though he may be nominated by the Congress Party, even though he may be taken as Minister, still he will not be in a position to represent the Muslim interests, Muslim feelings and so on. That being the case, I do not understand how Muslims whatever may be their number—whether they are 10 or 20 or 30 or even 90 per cent—if they are elected on joint electorate, will be able to represent the Muslims. If you want that they should represent only general interests, then have no reservation of seats at all. These people who will be elected on general electorate will be no better than people who some time back were appointed by the British Government, and who were given high offices for namesake. They were made mere figure heads. They were made responsible for the administration of a whole Province, and yet they were sitting like lifeless dolls without having any real power in their hands, and the whole string was pulled behind by somebody else, and these people were simply signing machines. Such being the case, Muslim representatives, or any representatives, of any community, if they are to be elected by the joint electorate system, cannot be the real representatives of that community. I say, and I still maintain, that if you want to have representation of all the people, then no reservation of seats is necessary. In a joint electorate I can stand, and if you have confidence in me, you can vote for me. That is the point which is to be very seriously considered. My hon. Friend Mr. Anthoni said that the Christian community is going to bridge the gulf between the various communities. Sir, I have got a number of Christian friends. I myself was educated in a Christian institution. I know their catholicism is proverbial. We shall take pride in the fact that Mr. Anthoni and the Christian community are going to be the bridge-builders between the various communities. But, Sir, I have an ambition. I do not know how far that ambition is going to be fulfilled. I do not know whether it is a reality or it is going to be a reality. I have got the ambition, and that ambition is that we in this Province, you and I,

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should be the bridge builders throughout the whole of India. I want this Province to give a lead in all matters, whatever may be the madness of people outside fighting like mad men. We, as sensible people, Hindus and Muslims in this Province as I have said on many an occasion, should set an example and show to the world that we are capable of adjustments, that we can understand and appreciate the feelings of either side, that Hindus can appreciate the feelings of Muslims and Muslims can appreciate the feelings of Hindus, that we are in a position to disabuse the minds of the different communities on account of our toleration, on account of our yielding to their wishes, and on account of our yielding to show that their suspicions are proved incorrect. Therefore, Sir, I am very anxious that the Hon. Ministers on the other side should realize this position and see that Muslims are given satisfaction that the representatives who will be elected to represent them in the local bodies and municipalities will be people who will really represent their interests.

"One more point, Sir, and I shall be done. That is with regard to the Special Officers."

MR. PRESIDENT:—"Enough has been said already."

ABDUL LATIF FAROOKHI SAHIB BAHADUR:—"I shall finish in one sentence, Sir. In any democratic country, whether it is here or anywhere else, it is on the basis of public confidence that people work. This Ministry is here on that basis. I wish this Ministry long life. Supposing these people go out resigning their office, will not the Governor ask them to continue the administration until some other people come in? Such being the case, why should our friends on the other side say 'well; we do not have confidence in the people who are there; we want to have people who are above them.' Sir, what sort of Special Officers are they going to appoint? Why should there be want of confidence in our own people? Whatever party we may belong, let us not think in terms of party. The Congress party must be above all these things. I want the Congress party not to be so narrow-minded as to think that other people will interfere in elections and try to bring in other people who will not suit to the ideas of Congress. That is perhaps the whole difficulty. Therefore I want our friends to have confidence in our own people.

"Then, Sir, with regard to special officers. Who are going to be appointed as special officers? I do not know what the idea of Government is, and how they are going to be designated? If there are going to be special officers, let them be appointed from among non-official gentlemen, not from people who will be under the influence of the Government. Let them be non-officials who will be appointed to these places, and let them be from various communities, people belonging to Hindu community, the Christian community and the Muslim community. Let them be selected or nominated from all communities, so that all communities may have confidence in them.

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"Sir, I do not think much is needed to be said on this Bill. If this Bill is to be passed into law I am sure it will not give proper representation to my community."

* SRI R. SURYANARAYANA RAO :—"Mr. President, Sir, I regret to say I cannot sympathize with the point of view of my hon. Friend, Mr. Farookhi. His whole point of view is based in the belief in the two-nation theory, to which he and his party cling. So they will ask for separate arrangement in every proposal. I am surprised my good friends talk as if they have come down to this place from somewhere. So there is no use trying to convince people who believe in that way. I wish to point out why separate electorate is not necessary to safeguard their rights and remedy their grievances, as long as representation to their community as such is guaranteed with reservation of seats in joint electorates. (Mr. Abdul Latif Farookhi : 'That is where we differ.') He and I agree that reservation of seats should be removed. To that extent it is a step in the right direction. But while I want to progress, Mr. Farookhi want to retrogress. (Laughter.) While I want to take a long view, he wants to look back; while I want to go a step forward, he wants to take one step back. (Mr. Abdul Latif Farookhi : I go back so that I may go forward and force on. (Laughter.) I am almost amazed how this question of separate electorate comes in here. It will arise only in the City Municipality Bill. This tendency to separate is quite foreign to municipal life. Because all the interests there are common to all communities. The other day I was reading the speech of the Leader of the Opposition in the Assembly on this Bill, because I wished to know his point of view; and the example he gave of how the interests of his community would be affected was somewhat curious. He said he would find the whole place strewn with cowdung-water against the sentiments of the Muslims. He quoted this as an example, as he had no other examples to quote. In municipal life our interests are common. We drink the same kind of water, we have the same kind of quarters to be swept, occupied by them by Muslim or Hindu or any other community. In fact there are no conflicting interests in the administration of local bodies. Merely because a particular gentleman comes from one particular electorate, so long as he continues to be a member of a particular minority community, how is he going to better that particular community. (Mr. Abdul Latif Farookhi : By crying hoarse!) You can do that even when you come in through joint electorates. Sir, there are no separate interests as far as civic life is concerned. It is quite different in higher spheres, where fishes and loaves of office play an important part even in the best of democratic countries. It is very difficult to convince my friends. We only regret that they distrust all other communities. It is a pity this distrust is allowed to grow instead of my good friends using their influence to arrange and see the other side of things. Unfortunately I am afraid they are allowing their influence more to see the bad side of communal life.

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" Sir, I am also against special officers. We have discussed that question very often, and so here, I will make only a passing reference to it. Let me express the hope they will not bring in outsiders. As I have already said on the last occasion this is only a mere bill to provide for the postponement of elections. No contentious provisions have been introduced in this Bill. It is merely intended to extend the life of the local boards beyond 31st March 1947. If Government want to have any alterations either in the number of members or in the method of elections that should be done by a comprehensive Bill dealing with all aspects of the matter, I wish my friends had not raised the contentious points. Perhaps it has been introduced in the City Municipality Bill and so they raise that here also. If my friends want to have the number of seats increased for their community by half the present total number, let them ask for it. Perhaps I will support them. But here in the present Bill there is no mention about the method of election. I want to raise a point of order—Of course—when the time comes perhaps you will have to give your ruling."

* DR. V. K. JOHN :—" Sir, in rising to speak on this Bill one feels that one is not in an atmosphere of reality. The Bill will be passed without any amendment, however much we may press our views. I have several times said that all parties should have an effective voice in the shaping of Bills which pass through this House. Now that we have three Members of this House as Ministers, including the Prime Minister, I hope the Government will take the feeling of this part of the House into consideration, about the unreal atmosphere in which Bills are brought here in the shaping of which we have no hand at all, either in the Select Committee or in the House, because it has to go through without any amendment."

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" Having said that I do not think, Sir, that the claim made by the Hon. Minister, Mr. Chandramouli, that the main object of this Bill is to give larger representation to the minorities is correct. Sir, section 7, sub-section (1) of Madras District Municipalities Act, 1920, provides that the municipal council shall consist of such number of councillors as may be notified by the Provincial Government in accordance with a particular table mentioned in the section. It says that if the population exceeds 100,000 the number of members shall be 36. Sub-section (2) of section 7 provides that all the councillors of every municipality shall be elected. Sub-section (3), that is the sub-section which is now being amended, provides that in any municipality, the Provincial Government by notification, from time to time reserve seats for Muslims, Indian Christians, Members of the Scheduled Castes, Europeans, Anglo-Indians or women and the determination of the number of such seats is left to the Government. Then there is the proviso that the total number of seats so reserved shall not exceed one-fourth of the strength fixed for the municipal council under sub-section (1). It is provided further that no seat shall be

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reserved for any of the communities mentioned in clauses (a) to (e) (i.e., excluding women) if at the last census such community constituted more than one-half of the total population of the municipality. Sir, in sub-section (4) it is also provided that in reserving seats for the communities mentioned in clauses (a) to (e) of sub-section (3) the Provincial Government shall have due regard to their number and importance. Discretion is given to the Government to allot the number of seats among the Europeans, Anglo-Indians, Women, Members of the Scheduled Castes and Indian Christians, etc."

MR. PRESIDENT:—"The main object is that the 'one-fourth' should be increased to 'one-third'."

* DR. V. K. JOHN:—"I am contending, Sir, that it is not much of an advance. Nothing contained in sub-section (3) shows that the members of any community or women for whom seats have to be reserved there in a municipal council can be sure that the seats will be reserved or how many will be reserved. Sir, this is the existing position.

"Sir, the Government have introduced a Bill. It says that in the same section the following sub-sections shall be inserted after sub-section (3), namely:—

'(3-A) The total number of seats reserved under sub-section (3) shall not exceed one-fourth of the strength of the municipal council as notified in sub-section (1).'

This is the first proviso itself in the old Act which they have taken out and incorporated in the new Bill. I was going to show, Sir, that this is a clumsily worded Bill. In my own experience as a lawyer I have never come across an Act which is more clumsily worded than this. How it is clumsily worded, Sir, I will show. In sub-section (3-A) they have taken one of the provisos saying that the reserved seats shall exceed one-fourth of the strength of the municipality. Next sub-section (3-B) says:—

'(3-B) Notwithstanding anything contained in sub-section (3-A), the Provincial Government may, if they think fit by notification, fix the total number of seats reserved in any municipal council in excess of the number admissible under sub-section (3-A).'

Thus sub-section (3-B) deletes sub-section (3-A) in the same section. It seems to be very absurd, Sir, they should have deleted sub-section (3-A) and inserted sub-section (3-B). Now sub-section (3-B) gives power to the Government to override sub-section (3-A). And Sir, notwithstanding anything contained in sub-section (3-A), i.e., the one-fourth maximum, the Provincial Government may, if they think fit, by a notification fix the total number of seats reserved in any municipal council, in excess of that number. The discretion is still with the Government. That is why, Sir, I say there is no advance at all. This section (3-B) which deletes sub-section (3-A) in the same section is conditioned by two provisos. One is:

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' Provided that the strength of the municipal council as notified under sub-section (1) is also increased by the same number as that by which the total number of reserved seats is increased and is specified in the notification aforesaid. '

Sir, King's language is murdered. It is very difficult to understand what this proviso means. It will take two hours for a man to interpret what it is; and then it goes on to say :

' and the total number of reserved seats is so fixed as not to exceed one-third of the strength of the municipal council as increased under clause (i). '

It is not that Government wish to give one-third to the minorities. It says, it shall not exceed one-third. They can fix it at one-eighth, or at one-fourth or one-fifth. They can have any number. It is left to the Government to fix and allot the number to any community. It is a general discretion either to advance on one-fourth or to keep it at one-fourth. I say that, if the Government's intention is so to increase the number of representatives of the minority communities, surely they should have raised it to ' one-third ' and provided that one-third shall represent the minority communities.

" Now, Sir, I say there is no real advance. Besides, this is a clumsy piece of legislation, one section deleting another section.

" Sir, in 1947, they should not have copied the provisions of the 1920 Act. That we are divided into communities is a fact which cannot be denied by anybody. There are four alternatives before the Government if they want to solve the problem of communalism. The first is that which they have adopted, what they call ' joint electorates ' with reservation. Now, Sir, it has been stated and forcibly stated by the Muslim members in this House that it does not give representation to the minorities at all. It is only giving representation to the majority community. They say : ' We will appoint whom we like. ' Sir, the Executive Councillors in this Province were Indians and a claim was made that Indians constituted the Government as they were in the Executive Council. It was then stated that those Indians were elected or selected or nominated or appointed by the Britisher, a foreign Government, and they did not represent Indians at all. That was the contention made by the Congress always. Now Sir, my Muslim friends are afraid that anybody appointed by another person, although he is an Indian, or a Muslim or an Indian Christian, certainly we will not be giving representation to the minority community. And, therefore, I agree that, if the Government's object is to give representation to the minority community, this is not the way to do it.

" The next alternative is, as my hon. Friends pleaded, separate electorates. I feel, Sir, and I am strongly convinced about it, that it is the separate electorates that has accentuated communalism in this country. The day on which separate electorate system was introduced in this country we were lost. Any solution of the communal problem in my opinion must be one that effaces communalism in the long run, one which will not perpetuate communalism.

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It is not in the interests, in my opinion, of any minority community to have separate electorates at all, because it perpetuates communalism. It keeps them in a group and they are in a minority always. What then is the alternative? I say there are two more alternatives. One is to abolish reservation for minority communities altogether. It may be that in the beginning there will be a feeling of discrimination. I think communalism is passing from this country. The average man is not communally minded. Sir, some men may suffer in the beginning, but we must take a long view. In a few years, in 10, 15 or 20 years, it may be there will be no communalism in the country. And in the life of a community or a nation, 10, 15 or 20 years is nothing at all. We must take a long view of the matter. In the year 1947, a Congress Government which apparently stands for non-communalism should have brought forward a bill deleting section 7 of the District Municipalities Act.

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“Now they have come forward and said: ‘We feel that a larger representation is required for the minority communities; therefore, we take the power to raise the number to one-third under certain conditions. The minority communities have great faith in the Congress Government. Therefore, the Government have taken the power to increase the number.’ But this is as if they have promised nothing at all. In my opinion, the Congress Government should not have felt that there is need for representation of minority communities in 1947. They should have boldly said: ‘We stand for all communities, we are not communally minded at all and therefore we delete the section. If this is not possible, I suggest they should have introduced the system of election and selection. Suppose in a municipality 80 per cent of the inhabitants are Hindus, then allot 80 seats for the Hindus. Suppose 10 per cent are Muslims, allot 10 seats for Muslims and so on. Multiply the number of seats by 3 or 4 or 5. Let the Hindus for instance select 5 times the number assigned to them, i.e., 400 members, and let the Muslims select 5 times the number assigned to them, i.e., 50. Then, let all the other communities elect the required number of candidates from out of the numbers selected. The result will be that every member returned to the Council will have the confidence not only of one community but of all communities. Although the election will be a bit cumbersome, we can certainly go through it and in course of time you will find that no communal-minded person will be elected. He may be selected, because the selection is by his community. But it may be that members of the Hindu community may select an Indian Christian, because it does not mean that the representative must belong to the same community. I represent in the High Court many Hindus and Muslims and more non-Indian Christians than Christians. As their representative they have confidence in me. The Hindus may have a Christian as their representative.”

MR. PRESIDENT :—“I have a feeling that the hon. Member is going much beyond the principle of the Bill.”

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DR. V. K. JOHN :—“ We have been side-tracked into a discussion of joint and separate electorates. If the procedure of selection and election was adopted, we should have no communalism at all and everybody elected will represent all the communities, Hindu, Muslim and Christian. Therefore communalism will disappear in course of time. Any solution of the communal problem should be one which will not perpetuate communalism but efface communalism. I appeal to my hon. Friends: Let them not talk of separate electorates. We are on the threshold of freedom and we should all march as one nation in our political, public and economic life without any difference of caste, creed or colour. If we who are in this Council give a lead to our communities, that we do not belong to one community but to all communities, the future of the country is safe. I appeal to my hon. Friends not to ask for separate electorates. I appeal to the Government not to introduce any further reservations, because the reservation does not mean anything at all as it will be said that the reserved seats will be occupied by dummies and there will be quarrel over that. The principle of the Bill is wrong and it should be dropped.

“ Again, Sir, it has been clumsily drafted. I do not know who is responsible for the last section which says:

‘ If any difficulty arises in giving effect to the provisions of this Act, . . . the Provincial Government may, as occasion may require, by order do anything which appears to them necessary for the purpose of removing this difficulty.’

‘ Do anything . . . as occasion may require ’ is a thing which is unparalleled in the history of legislation. The Government takes power to do anything by order if they find there is some difficulty. If there is a provision like that, they will find any number of difficulties and they will pass orders to remove those difficulties. No Legislature could vest in the Government of the country such an arbitrary power to remove any difficulty merely by passing an order. This is a clumsy piece of legislation. Act was introduced a few months back and it has again been amended. Sir, this Government has not got the assistance of men qualified to draft bills, study the existing Acts and put into proper wording the intentions of the Government. I say, Sir, that this Bill ought to be dropped. I know that this is an unreal atmosphere. If I plead that the Bill should be dropped and even if they are convinced that it should be dropped, there is the question of prestige. The Bill has been passed by the Assembly and it should be passed by the Council. I ask you, Sir, whatever influence you may have as President of the Council, to put pressure on the Government and make them agree to have joint select committees at least so that we may have some voice in shaping the Bills which have to be passed through this House.”

MR. PRESIDENT :—“ The Hon. Minister . . . ”

* THE HON. SRI K. CHANDRAMOULI :—“ Sir, I thank the House for the constructive criticisms and valuable suggestions

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"THE HON. SRI K. MADHAVA MENON:—" Before the Hon. Minister for Local Administration replies, may I say a few words? "

MR. PRESIDENT:—" I only said : ' The Hon. Minister ' . "

THE HON. SRI K. MADHAVA MENON:—" The hon. Members Mr. Ibrahim Sahib and Mr. Farookhi Sahib said that the object of the Government in the appointment of special officers was to hit at the nominated councils nominated by the previous Government because we could not trust them to influence the elections. I shall give some figures which will speak for themselves. There are now 24 nominated councils and 57 elected councils. This Bill is going to affect both the 57 elected and the 24 nominated councils. The 57 elected councils are ' Congress ' councils and if it was a matter of trying to influence the elections in our favour, it would have been better to retain the 57 councils. It is therefore very uncharitable to say that this is an attempt to abolish nominated councils alone."

* THE HON. SRI K. CHANDRAMOULI:—" Mr. President, Sir, While thanking the House for its constructive criticism and valuable suggestions, I am compelled to differ from my hon. Friends, Mr. Ibrahim Sahib and other Muslim Friends. The object of this Bill is to increase the representation of minorities. It has nothing to do either with the electorate or with the franchise or the electoral areas or any such thing. So much of the criticism levelled against the Bill is not really within the scope of this limited amending Bill. I am sure the whole House has agreed that the objects of the Bill are necessary, but there have been one or two criticisms levelled against the Bill. My hon. Friend Dr. John said that instead of bringing this clumsy or hasty piece of legislation, it would have been better. If the Bill had been comprehensive and a little more specific and clear. I do agree with my hon. Friend and I assure him that it is the object of the present Government to see that such a comprehensive bill, without complications, a simple easy and effective bill without affecting any community or section and as a matter of fact giving full and satisfactory representation to the whole population may be brought forward at an early date."

" I request the hon. Members through you, Sir, to bear with me so far as the other points are concerned. Separate electorates and other things mentioned by our friends have nothing to do with the present Bill. I only appeal to our Muslim friends that a day might come when we will have to feel as one, work together, live together and not think in terms of separate communities, separate electorates and so on. With these words, I request the House to accept the motion." 7 p.m.

MR. PRESIDENT:—" I now put the question to the House. The question is that the Madras District Municipalities and Local Boards (Amendment) Bill, 1947 (L.A. Bill No. 7 of 1947), as passed by the Assembly be taken into consideration at once."

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The motion was put and carried and the Bill was taken into consideration at once.

MR. PRESIDENT :—“ The hon. Member Mr. K. T. M. Ahmed Ibrahim has given notice of two amendments to clauses (2) and (3). I am afraid both the amendments are out of order.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ May I explain, Mr. President. The Statement of Objects and Reasons says that the Government consider it desirable to have power to increase the representation provided for minority communities. My point is that this Bill does not at all provide for proper representation. My amendments seek to provide proper representation.”

MR. PRESIDENT :—“ Rule 60 (1) of the Madras Legislative Council Rules reads as follows :—

“ An amendment must be relevant to, and within the scope of, the subject matter of the Bill & motion to which it relates.”

This Bill is an amendment to the existing Acts. The cardinal principle running through the existing Acts is that elections to the existing local boards, municipalities and other local bodies should be on the principle of joint electorates with reservation of seats. The provisions of the Amending Bill do not go beyond this object. The only object envisaged by the Bill is to raise the reservation from one-fourth to one-third if the Government thinks it necessary. If the amendments of the hon. Member are accepted, the principle of the existing Acts, that is joint electorates, will have to be modified, and separate electorates will have to be brought in in the place of joint electorates. The present amendments are to Clauses 2 and 3 of the Bill. The sections of the existing Acts which deal with the method of election and the method of division into circles and wards are Section 43 of the Madras District Municipalities Act and Sections 47 and 49 of the Madras Local Boards Act. It is not proposed to amend them now. So even if these amendments are accepted, Section 43 of the District Municipalities Act and Sections 47 and 49 of the Local Boards will remain as they are. It will mean that while Clauses 2 and 3 of the amending Bill advocate separate electorates, the real, effective sections of the Acts quoted above do not provide for separate electorates. The Acts will become contradictory in their provisions and will become absolutely unworkable. These amendments not only go beyond the scope of the Acts, but also materially vary the very scope of the Bill altogether. I am therefore constrained to rule these two amendments out of order.”

Clause 2 was put and carried.

Clause 3 was put and carried.

Clause 4 was put and carried.

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Clause 5.

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" I move—
' In clause 5 (1) (i) for the words " may be different from " the words " shall be the same as " shall be substituted."

The object of my amendment is that there should be no interregnum between the date of the newly elected councillors coming into office and the date of expiry of the term of office of the existing councillors. Then the need for appointment of Special Officers will not arise. I have explained the reasons already in the first reading stage, and I do not think it necessary to explain the amendment in detail."

K. UPPI SAHIB BAHADUR :—" I second the amendment, Sir."

THE HON. SRI K. CHANDRAMOULI :—" I oppose the amendment, Sir."

The amendment was put and lost.

Clause 5 (1) (iii).

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Sir, I move—

' Clause 5 (1) (iii) shall be omitted.' "

K. UPPI SAHIB BAHADUR :—" I second the amendment."

THE HON. SRI K. MADHAVA MENON :—" Sir, I rise on a point of order. The effect of this amendment is the same as the appointment of a Special Officer for the period after 31st March."

The amendment was put and lost.

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Sir, I move the following amendment :—

' At the end of clause 5 (1) (iii), the following proviso shall be inserted :—

" Provided that the Government shall have the power to extend the term of office of the councillors previously holding office until the date on which the newly elected councillors will come into office."

" This amendment is consequential to my first amendment."

K. UPPI SAHIB BAHADUR :—" I second the amendment."

The amendment was put and lost.

Clause 5 (3).

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Sir, I move the following amendment :—

' Clause 5 (3) shall be omitted.'

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"This has also reference to the Special Officer."

K. UPPI SAHIB BAHADUR :—"I second it."

The amendment was put and lost.

Clause 5 (4).

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"Sir, I move the following amendment :—

"Clause 5 (4) shall be omitted."

K. UPPI SAHIB BAHADUR :—"I second it."

The amendment was put and lost.

Clause 5 was put and carried.

Clause 6 was put and carried.

Clause 7 was put and carried.

Clause 8 was put and carried.

Clause 1 was put and carried.

The preamble was put and carried.

THE HON. SRI K. CHANDRAMOULI :—"I now move—

'That the Madras District Municipalities and Local Boards (Amendment) Bill (L.A. Bill No. 7 of 1947), as passed by the Assembly be passed into law.'"

MR. PRESIDENT :—"The question is that the Bill be passed into law."

DR. SYED TAJUDDIN SAHIB :—"Mr. President, Sir, I rise to oppose the Bill at this stage and at this late hour for reasons of my own . . ."

MR. PRESIDENT :—"I hope the hon. Member will not keep us very late."

DR. SYED TAJUDDIN SAHIB :—"The question of joint electorates and reservation of seats is a hoax pure and simple and is a sort of crafty camouflage practised on the minority communities. Time was in the history of local bodies when there was no reservation of seats at all. There was such a time for valid and good reasons. It was thought that, because there was consensus of opinion, it was fit and proper to safeguard the interests of the various minority communities and that reservation of seats should be made. I may tell you that many of us were Congressmen in those days; we worked together and we were like a pair of tongs; we were collaborating . . ."

MR. PRESIDENT :—"I hope you did not squeeze anybody coming between."

DR. SYED TAJUDDIN SAHIB :—"We co-operated together. We gave a very fair trial. But as ill-luck would have it, we were at cross-purposes and cross-roads."

MR. PRESIDENT :—"Never too late to mend."

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DR. SYED TAJUDDIN SAHIB :—“ It is never too late for Congressmen to mend. If they grant our reasonable request and grant us separate electorates we are one. The object of both parties is one. The policy of all of us should be one; we should be one with them. But here oneness is of a different kind. All of us have read of Easop's Fables—the wolf and the lamb. The wolf wanted to be one with the lamb, the lamb wanted the same thing; but the wolf said ‘ I will swallow you, we will become one.’ There will be no question of two bodies; there will be one body and one soul. In that fashion the Congress people now want us to be one with them. Why should they fight shy of separate electorates? I cannot understand. They are the biggest party in the country. Whatever may be the conditions and whatever may be the number of reservation of seats, there is no room for any apprehension at all. Why should they not give us separate electorates? I should say that they are consistently inconsistent in this matter. There are higher bodies such as Legislatures where this principle has been upheld and is in practice. We are having separate electorates in the higher spheres even in the highest bodies. Why should they not extend the same principle even to local bodies, I cannot understand. It is unanswerable I should say. They say local bodies are the field where you should practise joint electorates and not separate electorates. What are the valid reasons? I put the question straight to the Treasury Benches”

SRI R. SURYANARAYANA RAO :—“ I rise to a point of order. The hon. Member is referring to separate electorates.”

MR. PRESIDENT :—“ He is opposing the Bill.”

DR. SYED TAJUDDIN SAHIB :—“ There is no consistency at all in the practice of the Congress party. They would not lose anything by granting us separate electorate. The Muslims stand first and foremost among the minority communities. Next come Harijans. Thirdly there is the Christian community. Among Harijans also there is great clamour for separate electorate. Adi-Dravidas from the great bulk of Scheduled Classes; they want separate electorate. My hon. friend, Mr. Anthoni, is absent now. The Christian community have got a purpose behind joint electorates. I will explain how it is”

MR. PRESIDENT :—“ The hon. Member need not take the trouble.”

DR. SYED TAJUDDIN SAHIB :—“ I think the Christian community would have asked for a Christianstan, first and foremost, if only their population had not been scattered and distributed here, there and everywhere all over the Presidency and all over the country. Because they cannot ask for any particular area to be declared as Christianstan, therefore they are at their wits end and they have no other go, but to throw in their lot along with the majority community.

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“Putting all the minority communities, if we count their number, I think they will be over 50 or 60 per cent of the total population of either this Province or of the whole country. So, the whole country is clamouring for separate electorate. If all these minorities are put together, they become the majority and the majority becomes the minority. Therefore I say that when the majority wants separate electorate, they have no business to deny us, saying that they are the majority and that we are the minorities and that we cannot have that.

“ Sir, I do not want to keep the House very long. I have got one point here to say, before I come to the question of special officers. Sir, this question is against the very fundamental principles of democracy, because here in India, the population is not at all homogenous. Where there is a heterogeneity of population in a land, you cannot have the farce of a democracy unless you grant what the minorities want for themselves. So that is the greatest blunder some people make in saying that in democracy, why should there be any separate electorate at all. I once again impress upon the House that there is no homogeneity in the population at all.

“ As regards the appointment of special officers, the Hon. Minister said that there are a number of Congress municipalities also and therefore it is not their intention to spot out only nominated councils. But what I would like to say is whether they are nominated municipal councils or Congress-elected municipal councils, it would be in keeping with the spirit of democracy if the present councils are allowed to go on, because all the councils, I should say, have done their best in carrying out the administration. If we read the annual administration report issued by the Government, we can see that no municipality has been branded as a bad one. And therefore, are not many heads better than one? Is the Government going to guarantee that the special officers that are to me appointed will be angels and better than angels? ”

THE HON. SRI K. MADHAVA MENON :—“ The councils will have nothing to do with elections.”

DR. SYED TAJUDDIN SAHIB :—“ I maintain, Sir, that these municipalities may be allowed to carry on the administration till the elections are over. Beyond that, I have nothing to say.”

* K. UPPI SAHIB BAHADUR :—“ Mr. President, Sir, even at this third reading, I am sorry I have to oppose the motion. My hon. Friend behind me, Mr. Suryanarayana Rao was advising the Government not to concede or not yield to the Muslim demand for separate representation. It is only this advice and this tendency on the part of the majority community for the last several years that has brought the political situation to this position. They have been denying the right of the minorities to be represented by the persons of their choice for some reason or other. I do not wish to wash the dirty linen or rake up old controversies on the floor of

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this House regarding separate electorate. As a matter of fact, Mr. President, let me say on the floor of this House that Muslims are not only non-communalists, but they are nationalists, nay they are internationalists. We practice this every day and it has been our practice for the last 400 years. We have no barriers of community and no geographical barriers. To us the whole of humanity is one brotherhood. My friend over here knows it. From our infancy we were taught that the whole human race on the face of the earth sprung from one mother and one father. Whether he be a Brahmin or a Musalman, whether he be a Negro in Africa, or a Red Indian of America, or an Englishman or a Siberian or a Chinese, we believe that they are all human beings, they are all brothers. Our only difference is in the matter of faith. I have no objection to eat from another's plate, or in another's house, or even from the house of the meanest human being, whom they call Chandala. I have no objection to eat with him, except some prohibited food. Because it is prepared by a Chandala, I do not reject it. I do not call him a Chandala, but I call him my brother. There is no communalism among Muslims. Then, how has communalism come here? Who is responsible for such a state? I do not want to cross swords with them at this late hour. Was it not that very man who now fights for Pakistan that was working with you before? What does our Quai-de-Azam Jinnah gain for himself by asking for Pakistan. I ask? Has he axe to grind? No. The whole of India knows that even the highest position in India was at his feet. The highest position to which an Indian in those days could aspire, was at his asking. Did he go in for that? Such a man who was fighting with Muslims against the Muslim League has been driven to this position to-day. Who is responsible for it? If he had been aspiring for any high position and if he had been disappointed in the matter, then one could very well say, that because Mr. Jinnah was disappointed he has been misled. The late Gopalakrishna Gokhale . . ."

SRI R. SURYANARAYANA RAO :—"I did not drag in Mr. Jinnah's name at all when I was talking about separate electorate, Sir."

MR. PRESIDENT :—"Why do you object to Mr. Uppi Sahib referring to Mr. Jinnah?"

K. UPPI SAHIB BAHADUR :—"I was just mentioning Mr. Gopalakrishna Gokhale, one of the greatest sons of this country of whom every one should be proud of, was the righthand man of Mr. Jinnah. When the British Government agreed to take an Indian on the All-India Executive Council, it was none other than the late Gopalakrishna Gokhale and Mr. Jinnah who went and did ~~tanas~~ before Lord Sinha who was reluctant to accept the post. I think, Sir, it is all in your memory: we were all young and I remember these two persons went to Calcutta and almost did ~~tanas~~ before Lord Sinha in order to persuade him to accept. That gentleman was reluctant to give up his very lucrative practice as a lawyer. But at last after two months' persuasion, Mr. Jinnah told

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Lord Sinha—he was not Lord Sinha at that time—‘We have been doing tapas at your feet for the last two months, not because we wanted to get anything from you, but because we wanted to protect the Indian interests and prestige. Here is the opportunity; you are the only person in India to take up that post; we want you to take it up; are you not prepared to sacrifice your practice for the country’s sake and take up that post.’ Even later on, I suppose, Mr. Jinnah could have got many things. Such a man about whom that great lady Mrs. Sarojini has written—that Jinnah is the ambassador of unity—such a man has been driven away. Under what circumstances? Your refusal to reasonable and legitimate demands of Mussalmans. Sir, what did force Mr. Jinnah to demand Pakistan? It is the statement that when Muslims wanted to co-operate with you, to work with you in the Government in 1937 the Congress leaders told us in our face ‘we do not know you, who are these Muslims?’ ‘We know only two people, the Congress and the Britisher.’ This was said at a time when the Britisher is here, when his cannons and his arms are here when you require our co-operation and help to fight him. And when he goes, where, I ask, is the guarantee that you will not ask: ‘If you want a share, you have to become this, you have to become that, give up your faith.’ Why not? You want our help, our co-operation, but when we ask you for our legitimate share you refuse it. In 1937 when we asked that, in coalition Governments, one or two Muslim representatives be taken then, none other than that great leader Jawaharlal Nehru wrote, what you may remember. ‘We do not know the Muslims. We knew only two, the Congressmen and Britishers.’ It was at that time my leader also wrote. In India, ‘not two but three’. There are a hundred millions of Muslims also. That has led to the present situation. The more you deny, the greater will be the demand—that is human nature. You refuse to a child a toy or anything; that moment it cries and revolts in its own way. We are afraid of you. For the present, in this Presidency, I say the position is this: you admit and you concede that we Muslims must be represented. How? ‘Representation is,’ you say, ‘by our selecting you.’ You concede the right, by reservation, to our representation; but you say we should not have the right of choice of our own representative; what you say is that we should be represented by a person whom you choose. What I say is: ‘No; that is not the proper method of representation; we must select our own representative.’ If you concede this reasonable demand all this trouble and unnecessary agitation will go. If you concede that heavens will not fall or earth will not go up. What is the position to-day? These speeches in this House opposing our demand will only estrange our relationship. We say that if you want co-operation of Muslims allow us to elect our representatives. In that case, you may say ‘All right, but you will get only 6 per cent.’ We say ‘all right: we will be satisfied even with that with a true representative than by larger number of diluted ones

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we have no trust in the weak diluted representatives chosen by you.' (Dr. Syed Tajuddin Sahib: 'Pseudo-representatives'.) Yes. Either the Government do not know, or they do not care to understand the correct position. Let me give the House some instances to show the real nature of representation chosen by joint electorates. In the last district board elections in Malabar, some ten years there were eight or nine reserved seats in the Muslim majority areas the right to contest the general seats was also there. Two Muslims from general seats also came and in both of them did not know even to sign their names. Such were the persons selected as Muslim representatives for the elections. I do not want to take you to higher levels or to a bigger arena on this matter.

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p.m.

"I do not want to retain the House for a long time but I wish specifically to state here that we require separate electorates. Why are you denying this to the people you have to deal with the day to day life of human beings and not with political ideologies and philosophies. Your policy is not going to obliterate from our minds the evils that are inherent in the joint electorates so far as minorities are concerned.

"Again, Sir, we have come here through separate electorates and there is no quarrel here. But, if we had been elected by joint electorates, during the time of election, all sorts of communal troubles would have taken place and there would have been bickerings even after the elections were over and they would have continued until the next elections. So, I say, let us be agreed on this matter. You elect your own representatives and we elect our own representatives. This principle will be conducive to a happy living. My hon Friend, Dr. John, told you that the whole Christian community do not want separate electorates. He is a gentleman, Sir, who is hailing from Travancore. Is not Travancore Christians demanding separate electorates? In this Province because they are unfortunately a small minority scattered all over, they do not consider it practicable and so do not demand separate electorate. The other day, I was listening to the debate in the other House, and even the Harijans there have begun to be vociferous in demanding for separate representation and due representation if their just demands would not be met. Then, Sir, how can you deny the Harijans or even the Christians their demand with regard to separate representation. If you want to concede the principle of separate electorates, do so; but do not ask us to come to you saying, we will discuss the matter and so on, because we know, the result will be worse and the remedy will be far worse. Sir, with these words, I oppose the Bill."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR:—"Only one word, I want to say, Sir."

MR. PRESIDENT:—"You had your full say. Now, the question is that a Bill further to amend the Madras District Municipalities Act, 1920, the Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942, and

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the Madras District Municipalities and Local Boards (Second Amendment) Act, 1946 (L.A. Bill No. 7 of 1947) be passed into law."

The motion was put and carried and the Bill was passed into law.

THE HON. DR. T. S. S. RAJAN :—" Since we are having Assembly sittings later on on the 31st March and 1st April, it is likely that two more Bills will be coming up for consideration here. We cannot possibly meet here in April. If you want to adjourn, it is very likely we may have a very long adjournment. Therefore, I suggest that we sit on the 3rd April and then adjourn, and it will be a long adjournment. Only two small Bills may be coming here; one is the Temple Entry Bill and the other Bill is about the President's salary, which really concerns us. So, we would have to hold on here and see that your salary is raised to a very respectable level. I would request the hon. Members to stay on till the 3rd and complete the work of the session and then the House might adjourn conveniently at least for a few weeks."

MR. PRESIDENT :—" I hope the Leader of the Opposition has no objection."

K. UPPI SAHIB BAHADUR :—" I hope the Hon. the Leader of the House will give us a guarantee that he will not summon us during the hot season. Granting that, we have no objection to stay on here for three more days."

THE HON. DR. T. S. S. RAJAN :—" It is a very big bargain, Sir, on which I cannot give an undertaking. But so far as the present legislative business is concerned, we will have to sit on the 3rd. About sitting during the hot season, I shall try to see if that can be avoided."

MR. PRESIDENT :—" The House stands adjourned till 11 a.m. on the 3rd April 1947."

The House then adjourned to meet again at 11 a.m. on the 3rd April 1947.

VIII.—PAPERS LAID ON THE TABLE OF THE HOUSE.

* 1. *Rationing explained*—Pamphlet issued by the Information and Publicity Department.

* 2. *Press Communiqué No. 13* (Public Information and Publicity Department), dated 19th March 1947, communicating the decision of His Excellency the Governor-General to withhold his assent to the Madras Trade Disputes Adjudication (Temporary Provisions) Bill, 1946.

3. *Note on the New Well-subsidy Scheme.*

† 4. *The Madras District Municipalities and Local Boards (Amendment) Bill, 1947* (L.A. Bill No. 7 of 1947) passed by the Assembly and received therefrom in the Council.

* Laid on the table on 25th March 1947.

† Circulated on the 28th March 1947.